

**NOTICE OF INTENT TO ADOPT A PROPOSED AMENDMENT
TO THE GEORGIA COMPOSITE BOARD OF
PROFESSIONAL COUNSELORS, SOCIAL WORKERS AND MARRIAGE AND
FAMILY THERAPISTS CHAPTER 135-6, REGULATION OF LICENSES, RULE
135-6-.04, REVOCATION OF EXPIRED LICENSES AND REINSTATEMENT OF
EXPIRED LICENSES, AND NOTICE OF PUBLIC HEARING**

TO ALL INTERESTED PERSONS AND PARTIES:

Notice is hereby given that pursuant to the authority set forth below, the Georgia Composite Board of Professional Counselors, Social Workers and Marriage and Family Therapists (hereinafter "Board") proposes an amendment to the Georgia Composite Board of Professional Counselors, Social Workers and Marriage and Family Therapists, Chapter 135-6 Regulation of Licenses, Rule 135-6-.04 Revocation of Expired Licenses and Reinstatement of Expired Licenses (hereinafter "proposed rule amendment").

This notice, together with an exact copy of the proposed rule amendment and a synopsis of the proposed rule amendment, is being mailed to all persons who have requested, in writing, that they be placed on a mailing list. A copy of this notice, an exact copy of the proposed rule amendment, and a synopsis of the proposed rule amendment may be reviewed during normal business hours of 8:00 a.m. to 5:00 p.m. Monday through Friday, except official State holidays, at the Office of the Secretary of State, Professional Licensing Boards Division, 237 Coliseum Drive, Macon, Georgia 31217. These documents will also be available for review on the Georgia Composite Board of Professional Counselors, Social Workers and Marriage and Family Therapists office website at www.sos.state.ga.us/plb/counselors or by contacting the Board office at 478-207-2440.

A public hearing is scheduled to begin at 10:00 a.m. on Friday, June 8, 2012 in the Office of the Secretary of State, Professional Licensing Boards Division, 237 Coliseum Drive, Macon, Georgia 31217 to provide the public an opportunity to comment upon and provide input into the proposed rule amendment. At the public hearing anyone may present data, make a statement, comment or offer a viewpoint or argument whether orally or in writing. Lengthy statements or statements of a considerable technical or economic nature, as well as previously recorded messages, must be submitted for the official record. Oral statements should be concise and will be limited to five (5) minutes per person. Written comments are welcomed. Such written comments must be legible and signed, should contain contact information from the maker (address, telephone number and/or facsimile number, etc.) and be actually received in the office prior to the close of business (5:00 p.m. EDT) on Friday, June 1, 2012. Written comments should be addressed to Lisa W. Durden, Director, Professional Licensing Boards Division, Georgia Composite Board of Professional Counselors, Social Workers and Marriage and Family Therapists, 237 Coliseum Drive, Macon, Georgia 31217. Fax (866) 888-7127.

The Board will consider the proposed rule amendment for adoption at its meeting scheduled to begin at 10:10 a.m. on Friday, June 8, 2012 at the Georgia Secretary of State, Professional Licensing Boards Division, 237 Coliseum Drive, Macon, Georgia 31217. According to the Department of Law, State of Georgia, the Georgia Composite Board of Professional Counselors, Social Workers and Marriage and Family Therapists

has the authority to adopt proposed rule amendments 135-6-.04 pursuant to authority contained in O.C.G.A. §§ 43-1-4, 43-1-19, 43-1-25, 43-10A-5, 43-10A-15 and 43-10A-17.

At its meeting on Friday, April 13, 2012, the Board voted that the formulation and adoption of this rule does not impose excessive regulatory cost on any licensee and any cost to comply with the proposed rule cannot be reduced by a less expensive alternative that fully accomplishes the objectives of O.C.G.A. §§ 43-1-4, 43-1-19, 43-1-25, 43-10A-5, 43-10A-15 and 43-10A-17.

Additionally, at its meeting on Friday, April 13, 2012, the Board voted that it is not legal or feasible to meet the objectives of O.C.G.A. §§ 43-1-4, 43-1-19, 43-1-25, 43-10A-5, 43-10A-15 and 43-10A-17 to adopt or implement differing actions for businesses as listed in O.C.G.A. § 50-13-4(3)(A), (B), (C), and (D). The formulation and adoption of these rules will impact every licensee in the same manner and each licensee is independently licensed in the field of Professional Counselors, Social Workers, and Marriage and Family Therapists.

For further information, contact the Board office at (478) 207-2440.

This notice is given in compliance with Section 4(a)(1) of the Georgia Administrative Procedures Act (O.C.G.A. §50-13-4).

This 20th day of April, 2012

Lisa W. Durden
Director, Professional Licensing Boards Division
Office of Secretary of State Brian Kemp

Posted: April 20, 2012

**SYNOPSIS OF PROPOSED CHANGES TO THE GEORGIA COMPOSITE
BOARD OF PROFESSIONAL COUNSELORS, SOCIAL WORKERS, AND
MARRIAGE AND FAMILY THERAPISTS RULE FOR
CHAPTER 135-6, REGULATION OF LICENSES, RULE 135-6-.04,
REVOCATION OF EXPIRED LICENSES AND REINSTATEMENT OF
EXPIRED LICENSES**

Purpose: The purpose of this rule is to define the requirements for licensure by reinstatement after five years of lapsed or revoked status.

Main Features: The amendment extends the current one year criteria to five years for the retake of the exam requirement for reinstatement, and provides for individuals previously licensed in Georgia who are currently and have continuously been licensed and practicing in other states or jurisdictions not to have to retake the licensure examination.

**DIFFERENCES BETWEEN THE EXISTING RULE AND THE PROPOSED
AMENDMENTS TO THE GEORGIA COMPOSITE BOARD OF
PROFESSIONAL COUNSELORS, SOCIAL WORKERS AND MARRIAGE AND
FAMILY THERAPISTS RULE FOR CHAPTER 135-6, REGULATION OF
LICENSES, RULE 135-6-.04, REVOCATION OF EXPIRED LICENSES AND
REINSTATEMENT OF EXPIRED LICENSES**

[Note: underlined text is proposed to be added; lined-through text is proposed to be deleted.]

135-6-.04 Revocation of Expired Licenses and Reinstatement of Expired Licenses. Amended.

(1) Failure to renew a license by the end of the established late renewal penalty period, ~~which is~~ December 31 of even numbered years, shall have the same effect as a revocation of said license and reinstatement of the license shall be in the discretion of the Board. If an application for reinstatement is submitted to the Board ~~after December 31 of even numbered years but~~ within one five (5) years of the expiration date of the license, the Board shall require documentation of thirty five (35) hours of continuing education activities for each EACH renewal cycle missed, a minimum of thirty five (35) of which must have been ~~that were~~ completed within two years of the date the reinstatement application is received by the Board, and payment of a late renewal penalty fee as set by the Board (See Fee Schedule). At its discretion, the Board may require additional information.

(2) If an application for reinstatement is submitted to the Board more than ~~one~~ five (5) years after the expiration of a license, an applicant must ~~apply for licensure by examination following the procedures set out in Chapter 135-3. The applicant must satisfy the current requirements for licensure at the time of reinstatement as set out in Chapter 135-5. In order to meet these requirements, the applicant may use any qualifying education, experience and supervision, including any which were applied toward his/her previous application for licensure, but must, upon approval of his/her application by the~~

Board, take and pass the licensing examination provide the following with their application:

(a) A completed application for reinstatement, the required fee and documentation of thirty five (35) hours of continuing education activities that were completed within two years of the date the reinstatement application is received. In addition, the applicant must (re)take and pass the required licensing examination. **However**, the (re)taking of the exam is not required if an applicant for reinstatement is currently, and has continuously been, licensed and practicing in another state/jurisdiction whose licensure requirements meet or exceed the current Georgia licensure requirements. All other provisions apply.

(b) In order to meet the requirements listed above (2), the applicant may use any qualifying education, experience and supervision, including any which were applied toward his/her previous application for licensure.

Authority: O.C.G.A. 43-1-4, 43-1-19, 43-1-25, 43-10A-5, 43-10A-15 and 43-10A-17